

### **REMARKS**

Claims 21-28 stand rejected under 35 U.S.C. 112, first paragraph, regarding the enablement requirement. Applicants respectfully disagree with the allegation in the Office Action that the first side panel, the second side panel and the rear panel of an assembled body to form a cavity accessible from an opening of the cavity is not supported in the specification. For example, opening 180 is formed by side panels 190, 192 and rear panel 194. *See e.g.*, Figs. 1 and 2. It does not matter that the opening cannot access the cavity upper portion where the bag is located because: 1. this is not what is claimed; and 2. the specification and drawings clearly show how the opening 180 can be formed without allowing access to the cavity upper portion. *See e.g.*, Figs. 1, 2, 4-10 and the accompanying description. For at least these reasons, Applicants respectfully request that the rejection be withdrawn.

Claims 29, 31, 35 and 36 stand rejected under 35 U.S.C. 102(b) as being anticipated by Marquardt (U.S. Patent No. 5,050,775). Applicants respectfully traverse.

Marquardt discloses a beverage dispenser and cup holder. The cup holder can be mounted on the side or back of the dispenser and can also stand alone. Because of its shape and size, the cup holder cannot be mounted on the front of the dispenser which includes the beverage outlet 30. Marquardt also does not disclose or suggest an opening or cavity positioned below the outlet 30 that can be accessed without disassembling the dispenser.

Conversely, claims 29, 31, 35, and 36 recite “a cavity accessible from the front side panel without disassembling the body, wherein an opening of the cavity is located below the first aperture when the body is positioned upright, and wherein the cavity can accommodate at least a portion of a cup”. For at least this reason, Applicants respectfully request that the rejection be withdrawn.

Claims 29, 31, 35 and 36 stand rejected under 35 U.S.C. 102(b) as being anticipated by Geshay (U.S. Patent No. 6,755,324). Applicants respectfully traverse.

Geshay discloses a package for transporting and dispensing multiple beverages. The Geshay package includes two dispensers 30, 32 on a front panel 22. Other than the holes for the dispensers 30, 32, there are no openings in the front panel 22. *See e.g.*, Figs. 1-4 and 8-10.

Conversely, claims 29, 31, 35, and 36 recite “a cavity accessible from the front side panel without disassembling the body, wherein an opening of the cavity is located below the first

aperture when the body is positioned upright, and wherein the cavity can accommodate at least a portion of a cup”. For at least this reason, Applicants respectfully request that the rejection be withdrawn.

Claim 32 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Marquardt or Geshay. Claim 32 indirectly depends from claim 29, and therefore includes all of the features of claim 29, plus additional features. Therefore, for at least the reasons discussed above with regard to claim 29, Applicants respectfully request that this rejection be withdrawn.

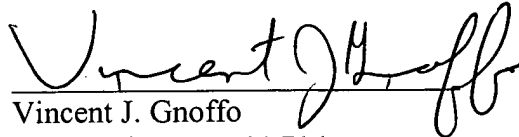
Claims 21-28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Marquardt in view of Geshay in view of Essery (U.S. Patent No. 2,134,865).

Essery discloses a oil storing and dispensing device known as a “lubester”. The device includes a storage area covered by a hinged panel 28. The front panel does not include any openings when the panel 28 is closed.

Claim 21 as amended recited “a cavity fully accessible from an opening in the front panel without opening a panel, wherein the opening of the cavity is located below the aperture when the body is positioned upright”. Neither Marquardt, Geshay, as discussed above, nor Essery, alone or in combination, disclose or suggest such features. For at least this reason, Applicants respectfully request that the rejection be withdrawn.

For all of the above reasons, Applicant respectfully requests reconsideration and allowance of the present application. The Examiner is invited to contact the undersigned attorney at the below-listed number if there are any outstanding issues that could be resolved through a telephone conference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vincent J. Gnoffo", written over a horizontal line.

Vincent J. Gnoffo  
Registration No. 44,714  
Attorney for Applicants

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200